

IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF OKLAHOMA

STATE OF OKLAHOMA, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:05-CV-00329-TCK-SAJ
)	
TYSON FOODS, INC., et al.,)	
)	
Defendants.)	

**PLAINTIFF'S ANSWERS AND GENERAL OBJECTIONS TO DEFENDANT
CARGILL'S REQUEST FOR PRODUCTION TO PLAINTIFFS**

GENERAL OBJECTIONS

A. Definitions, Terms and Instructions: The State objects to certain of the words and phrases used by Cargill, Inc., (Cargill) in its document requests as overbroad and unduly burdensome. Such objections include, but are not limited to, Cargill's definition of "Any Cargill Entity," "Document," "Identify," "You and Your." The State objects to the instruction to sequentially number each Document produced. The State will produce documents as required by Rule 34. The State objects to the instruction to describe in detail the facts upon which any claim of privilege is based.

B. Privileges: The State objects to Cargill's document requests as overbroad, unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent that they seek to invade information or documents protected by the attorney-client, work product, self-evaluative privilege, or which are made confidential by state law. The State specifically objects to the production of documents or information in the possession of or obtained from non-testifying consultants or experts who have been specifically retained to assist counsel for the State with the prosecution of this litigation as subject to these privileges.

C. Form or Method of producing documents: The State further objects to these document request to the extent that they purport to require the State to produce documents in any particular format. Pursuant to Rule 34 of the Federal Rules of Civil Procedure, the State will use its discretion in producing responsive, non-privileged documents either (1) as they are kept in the usual course of business or (2) organized and labeled in correspondence with the categories in these Requests.

D. No waiver of objection or admissibility: In responding to these Requests, the State is not waiving future objections to either production in discovery or admissibility at trial of any document or information supplied or referred to in discovery.

E. Objection to request for all documents: The State objects to Cargill's requests to produce all documents responsive, which is unduly burdensome, cumulative and duplicative to the extent that such documents are obtainable from some other source that is more convenient, less burdensome, or less expensive, or that Cargill has had ample opportunity by discovery in this action to obtain the information sought, or that the burden or expense of the proposed discovery outweighs its likely benefit, taking into account the needs of the case, the parties' resources, or the importance of the proposed discovery in resolving the issues.

F. Continuing discovery: In responding to these document requests, the State is supplying all the documents known to it at this time after reasonable inquiry. However, discovery is continuing. Should future discovery reveal any further documents requested, the State will supplement its answers as necessary in accordance with the Federal Rules of Civil Procedure.

G. Relative burden of locating documents: The State objects to these discovery requests to the extent that they seek the discovery of information that is already in the possession of defendant, is obtainable from another source that is more convenient, less burdensome or less expensive, or is as accessible to defendant as it is to the State. As such, the burden of obtaining such sought-after information is substantially the same, or less, for defendant as it is for the State.

H. Overly broad and overly expensive: The State objects to these discovery requests to the extent that they are overly broad, oppressive, unduly burdensome, unreasonably cumulative or duplicative, and expensive to answer. The state objects to these discovery requests to the extent that the burden or expense of the proposed discovery outweighs its likely benefit, taking into account the needs of the case, the amount in controversy, the parties' resources, and the importance of the proposed discovery in resolving the issues. Providing answers to such discovery requests would needlessly and improperly burden the State.

I. Federal Rules controlling: The State objects to these discovery requests to the extent that they improperly attempt to impose obligations on the State other than those imposed or authorized by the Federal Rules of Civil Procedure.

Without waiving the foregoing objections, but hereby incorporating each of them by reference in the specific responses as if fully set forth therein, and subject thereto, the State further states and alleges as follows:

RESPONSES REQUEST FOR PRODUCTION

Because many of Cargill's discovery requests repeat, duplicate, or overlap requests previously made by other Poultry Integrator Defendants, the State adopts and incorporates, as if fully set forth herein, its objections and responses to discovery requests heretofore made by other

Poultry Integrator Defendants in this case.

REQUEST FOR PRODUCTION NO. 1: Produce all documents identified or referenced in Your Answers to Cargill, Inc's First Interrogatories served contemporaneously herewith.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1: The State incorporates its general objections set forth herein, and the State further objects that this request seeks information or documents protected by the attorney-client, work product, self-evaluative privilege, or which are made confidential by state law. The State further objects because it seeks documents which have been prepared in anticipation of litigation or trial by the State's counsel, expert consultants, or agents, which have not yet been identified as testifying experts in this matter.

Subject to and without waiving the foregoing objections, the State will product all non-privileged responsive documents it has been able to locate as of the date of the service of these responses, or as of the date of any on site document production at a state agency, at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 2: Produce all documents relied upon by You to prepare or support Your Answers to Cargill, Inc's First Interrogatories served contemporaneously herewith.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2: The State incorporates its general objections set forth herein, and the State further objects that this request seeks information or documents protected by the attorney-client, work product, self-evaluative privilege, or which are made confidential by state law. The State further objects because it seeks documents which have been prepared in anticipation of litigation or trial by the State's counsel, expert consultants, or agents, which have not yet been identified as testifying experts in

this matter.

Subject to and without waiving the foregoing objections, the State will product all non-privileged responsive documents it has been able to locate as of the date of the service of these responses, or as of the date of any on site document production at a state agency, at a mutually agreeable time.

REQUEST FOR PRODUCTION NO. 3: Produce all documents alleged to support Plaintiffs' claims in this matter.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3: The State incorporates its general objections set forth herein, and the State further objects that this request seeks information or documents protected by the attorney-client, work product, self-evaluative privilege, or which are made confidential by state law. The State further objects because it seeks documents which have been prepared in anticipation of litigation or trial by the State's counsel, expert consultants, or agents, which have not yet been identified as testifying experts in this matter.

Cargill's attention is invited to all the documents previously identified by the State as part of its Rule 26(a) disclosures, which may support its claims in this matter. Many of these documents have already been produced in this case. The State will product all non-privileged responsive documents listed on its Rule 26(a) disclosures originating at each of its agencies at which it provides an on site document production.

Respectfully Submitted,

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I hereby certify that on this 31st day of October, 2006, I electronically transmitted the attached document to the following:

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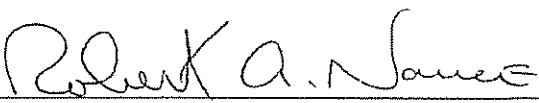
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